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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Leonard McCaskill,
Petitioner,
v.
Isidro Baca, *et al.*,
Respondents.

Case No. 3:17-cv-00305-RCJ-WGC

Order Granting Motion to Voluntarily
Dismiss Case (ECF No. 41)

POINTS AND AUTHORITIES

Petitioner Leonard McCaskill seeks to voluntarily dismiss his case because the Nevada Board of Pardons commuted his sentence to time served and ordered him released.

Warden Isidro Baca timely filed his Answer to Leonard's First Amended Petition following litigation of a motion to dismiss on October 5, 2020.¹ Leonard's reply is due May 19, 2021, following his prior requests to extend this deadline.²

Leonard was diagnosed on October 26, 2020, with Stage IV poorly differentiated neuroendocrine carcinoma of the prostate with metastasis to his lungs, liver, left adrenal and pelvis. Leonard sought a commutation of his sentence so that he may be released to live with his aunt in Arizona during his final days. On March 23, 2021, the Board granted his request, and commuted his sentence to time served.

With the commutation of his sentence, Leonard no longer wishes to pursue habeas relief and is no longer in state custody. In support, he provides the attached Declaration. Accordingly, Leonard respectfully asks this Court to dismiss his case.

ORDER

IT IS HEREBY ORDERED that the Motion to Voluntarily Dismiss Case (ECF No. 41) is GRANTED.

IT IS FURTHER ORDERED that the Clerk of the Court shall close the case.

IT IS SO ORDERED.


ROBERT C. JONES
United States District Judge
Dated: April 29, 2021